

Article - Health Occupations

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§7-310.

(a) (1) A funeral establishment shall be licensed by the Board before the establishment may be used for the preparation of the remains, viewing, or conducting of services.

(2) The licensee may be restricted to operations as determined by the Board.

(b) (1) To apply for a funeral establishment license, an applicant shall:

(i) Submit an application to the Board on the form that the Board requires; and

(ii) Pay to the Board:

1. An application fee set by the Board; and

2. The fee established under § 7-4A-05(a) of this title.

(2) An application for a funeral establishment license shall be signed by a licensed individual who is not an apprentice but is the owner or co-owner of the establishment to be licensed.

(c) The Board shall issue a funeral establishment license to a funeral establishment that:

(1) Has complied with all applicable State and local laws; and

(2) Will be:

(i) Owned and operated in accordance with this title by an individual who is or a group of individuals in which each individual is:

1. A licensed mortician;

2. A licensed funeral director; or

3. A holder of a surviving spouse license;

(ii) Owned and operated in accordance with this title by a holder of a corporation license; or

(iii) Operated in accordance with this title by a holder of an executor license.

(d) Signs and advertisements of a funeral establishment shall display the name that appears on the establishment license.

(e) (1) Each licensed funeral establishment shall have a supervising mortician.

(2) A licensed funeral establishment shall designate a licensed mortician whose license is in good standing with the Board to be the supervising mortician for the funeral establishment.

(3) A licensed mortician designated to be the supervising mortician for a funeral establishment shall complete the registration required by the Board.

(4) A mortician whose license is not in good standing in the State or any other jurisdiction may not be a supervising mortician.

(5) The supervising mortician for a funeral establishment shall be:

(i) Held responsible for all activities performed on behalf of the funeral establishment with the knowledge or at the direction of the supervising mortician; and

(ii) Except as provided in paragraph (6) of this subsection, limited to supervising:

1. One funeral establishment with an embalming facility; and

2. No more than three funeral establishments total that are within close enough proximity to each other to allow for oversight of each funeral establishment.

(6) The limits on the number of funeral establishments a supervising mortician may supervise as provided for in paragraph (5)(ii) of this subsection do not apply if a funeral establishment prepares for the disposition of less than 75 bodies in a calendar year.

(7) If a supervising mortician for a funeral establishment relinquishes the supervising mortician's responsibility under paragraph (5)(i) of this subsection for any reason, the funeral establishment shall name an interim supervising mortician who shall be held responsible for all activities performed on behalf of the funeral establishment, with the knowledge or at the direction of the interim supervising mortician, until a new supervising mortician for the funeral establishment registers with the Board.

(f) A funeral establishment that uses a central preparation room at another funeral establishment is not required to have its own preparation room or holding room.

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